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Attorney for Gabriel Zendejas-Chavez

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

GABRIEL ZENDEJAS-CHAVEZ,

Defendant.

No. CR 18-cr-173-GW

DEFENDANT GABRIEL ZENDEJAS-  
CHAVEZ'S SUPPLEMENTAL RESPONSE TO  
GOVERNMENT'S MOTION TO LIMIT CROSS  
EXAMINATION

Defendant Gabriel Zendejas-Chavez, by and through his counsel,  
Meghan Blanco, files the attached supplemental response to the  
government's motion in limine to limit cross examination.

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1        This response is based on the records and files in this case  
2 and such oral or documentary evidence as may be presented at the  
3 hearing on the government's motion and during trial.

4                                Respectfully Submitted,

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6 Dated: July 29, 2022

7                                          //s// Meghan Blanco            
8 MEGHAN BLANCO  
9 COUNSEL FOR DEFENDANT  
10 GABRIEL ZENDEJAS-CHAVEZ  
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MEMORANDUM OF POINTS AND AUTHORITIES

During a July 28, 2022 hearing on the government's motion to limit cross examination of cooperating witnesses, the Court asked defendant to identify prior convictions he would like to use during cross examination of cooperating witnesses. The prior convictions are listed below.

COOPERATING WITNESS	CONVICTION	REASON
CW-1	A 1997 misdemeanor conviction for willful cruelty to a child for which he was sentenced to four years' probation and 35 days' jail	See prior filing
	A 2006 conviction for robbery for which he was sentenced to seven years' imprisonment	CW-1 has two pending state cases for which he is awaiting sentencing. He is alleged to have committed both offenses while on parole for his 2006 robbery conviction. In addition, the 2006 robbery conviction was alleged as a strike enhancement in his two pending cases. In the first case, the strike enhancement from his 2006 conviction doubles his sentencing exposure and adds an additional five-year penalty. In the second case, the 2006 conviction more than doubles CW-1's parole

		eligibility date on his life count for attempted murder. Thus, these convictions relate to CW-1's motivation for cooperating.
CW-2	Two 1998 juvenile adjudications (within the same case) for first degree murder and kidnapping	These two convictions are separate strikes. Defendant is alleged to have engaged in conduct in this case that could be charged as a third strike, life offense in the state. In addition, his prior juvenile murder conviction makes (1) possession of a firearm a life offense (CW-2 is alleged to have possessed numerous firearms in this case) and (2) and future murder conviction death penalty eligible. CW-2 has admitted to multiple uncharged murders. Lastly, as explained in the prior filing, his convictions demonstrate the work CW-2 put in to become a Mexican Mafia member.
	A 2017 felony conviction for possession for sale of a controlled substance for which he was sentenced to four years' imprisonment.	This conviction is related to the current case and his prosecution and conviction are both relevant and critical to Mr. Chavez's defense.
	A 2000 felony conviction for assault with a	Only for impeachment if CW-2 denies certain conduct.

	deadly weapon with a firearm on a police officer for which he was sentenced to nine years' imprisonment.	
CW-4	Two 1995 felony convictions for petty theft with a prior and second degree burglary with a prior (within the same case) for which he was sentenced to 25 years to life.	The government asserts CW-4's release is unrelated to his cooperation in this case. Defendant disagrees. CW-4 was released on a resentencing petition wherein the trial court was required to consider post-incarceration rehabilitation and cooperation.
CW-5	Two 2007 felony convictions (within the same case) for robbery for which he was sentenced to two and six years' imprisonment, respectively.	These are prior strike offenses that can be used to enhance uncharged conduct.
	A 2014 felony conviction for taking a vehicle without the owner's consent for which he was sentenced to five years' probation and five days' jail.	This matter relates to the current charges and allegations against Mr. Chavez.
	A 2014 felony conviction for conspiracy to distribute controlled substances for which he was sentenced to	This matter relates to the current charges and is critical to Mr. Chavez's defense.

	thirteen years' imprisonment.	
CW-6	A 2001 felony conviction for manufacturing a controlled substance for which he was sentenced to three years' probation and one year of jail.	This is critical to show CW-6's involvement in drug distribution and the government's knowledge of his involvement.
	Two 2017 felony convictions (within the same case) for possession for sale of a controlled substance for which he was sentenced to twelve and three years' imprisonment respectively.	CW-6 committed this offense while cooperating with the government; it is also critical to Mr. Chavez's defense, as explained above. Further, this offense happened within the timeframe of the charged conspiracy.
	A 2004 felony conviction for transporting a controlled substance for which he was sentenced to seven years' imprisonment.	This is critical to show CW-6's involvement in drug distribution and the government's knowledge of his involvement.

Respectfully submitted,

Dated: July 29, 2022

//s// Meghan Blanco  
 MEGHAN BLANCO  
 COUNSEL FOR DEFENDANT  
 GABRIEL ZENDEJAS-CHAVEZ